

Entered - 11-21-02 - sb  
CL 02L0825 - GWENDOLYN BURNS

ADOPTED BY  
FEB 16 2004  
COUNCIL

CLAIM OF: STATE FARM INSURANCE COMPANY  
as subrogee of insured,  
CHRISTOPHER CRUMBLEY  
11350 Johns Creek Parkway  
Duluth, Georgia 30098-0001

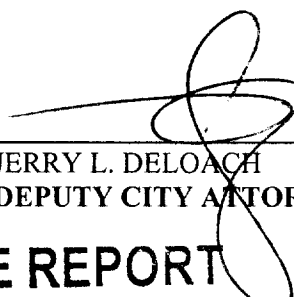
04- R -0223

For property damages alleged to have been sustained from a  
sewer backup on May 30, 2002 at 2670 Ridgemoor Road.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that  
action of the Department of Law be approved in authorizing  
payment to STATE FARM INSURANCE COMPANY as  
subrogee of insured, CHRISTOPHER CRUMBLEY the sum of  
\$5,483.50 in full settlement and satisfaction of all claims, past,  
present and future, of every kind and character for property  
damages alleged to have been sustained from a sewer backup on  
May 30, 2002 at 2670 Ridgemoor Road as is more particularly set  
forth in the within claim; said sum taken from and charged to  
account 2J01/529017/T31001, Settlement of Suits and Claims,  
Department of Law.

APPROVED: LINDA K. DISANTIS  
CITY ATTORNEY

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

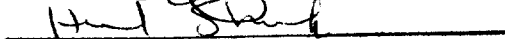
DATE 2/10/04

CHAIR

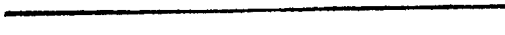


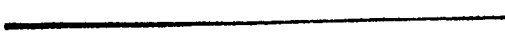






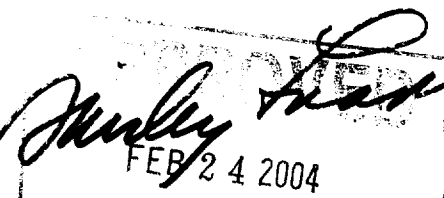










  
FEB 24 2004  
MAYOR



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-0223**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **State Farm Insurance Company as subrogee of insured Christopher Crumbley** in the sum of **\$5,483.50** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from a sewer backup on May 30, 2002 at 2670 Ridgemore Road** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

**FEB 16, 2004  
FEB 24, 2004**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0825

Date: January 27, 2003

Claimant /Victim CHRISTOPHER CRUMBLEY  
BY: (Atty) (Ins. Co.) STATE FARM INSURANCE COMPANIES  
Address: 11350 Johns Creek Parkway, Duluth, Georgia 30098  
Subrogation: X Claim for Property damage \$ 5,483.50 Personal Injury \$ \_\_\_\_\_  
Date of Notice: 11/18/02 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 5/30/02 Place: 2670 Ridgemore Road  
Department WATERSHED MANAGEMENT Division Sewer Operations  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** Claimant sustained property damage to his home from a sewer back up. An investigation determined that the City was on notice of a problem with the line but was unable to accurately identify the cause. Further inspection determined that the sewer outfall line contained medium disjointed pipes. This line has been placed on the departmental list for further evaluation and possible rehabilitation.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

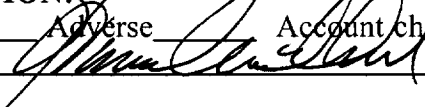
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 5,483.50 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 01/27/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 5424  
2/16/04  
2:55 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-12, EXCEPT:04-R-0242

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

*Reconsidered  
see  
RCS# 5425*

B Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
A Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5425  
2/16/04  
2:56 PM

Atlanta City Council

Regular Session

CONSENT I                      CONSENT I PGS 1-12, EXCEPT:04-R-0242

RECONSIDER

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5426  
2/16/04  
2:58 PM

Atlanta City Council

## Regular Session

CONSENT I                CONSENT I PGS 1-12, EXCEPT:04-R-0242  
                                AND 04-R-0130  
                                ADOPT

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	1

B	Smith	Y	Archibong	Y	Moore	Y	Mitchell
	Y Starnes	NV	Fauver		Y Martin		Y Norwood
	Y Young		Y Shook		Y Maddox		Y Willis
	Y Winslow		Y Muller		Y Boazman	NV	Woolard

CONSENT I

2-16-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0049 2. 04-O-0125 3. 04-O-0126 4. 04-O-0143 5. 04-O-0144 6. 04-O-0035 7. 04-O-0067 8. 04-O-0233 9. 04-O-0235 10. 04-O-0251 11. 04-O-0231 12. 04-R-0188 13. 04-R-0190 14. 04-R-0228 15. 04-R-0229 16. 04-R-0222 17. 04-R-0227 18. 04-R-0128 19. 04-R-0129 20. 04-R-0130 21. 04-R-0131 22. 04-R-0189 23. 04-R-0273 24. 04-R-0218 25. 04-R-0219 26. 04-R-0220 27. 04-R-0245 28. 04-R-0246 29. 04-R-0249 30. 04-R-0250 31. 04-R-0274 32. 04-R-0226	33. 04-R-0207 34. 04-R-0208 35. 04-R-0209 36. 04-R-0210 37. 04-R-0211 38. 04-R-0212 39. 04-R-0213 40. 04-R-0214 41. 04-R-0215 42. 04-R-0223 43. 04-R-0224 <b>ITEMS ADVERSE ON CONSENT</b> 44. 04-R-0191 45. 04-R-0192 46. 04-R-0193 <b>47.</b> 04-R-0194 48. 04-R-0195 49. 04-R-0196 50. 04-R-0197 51. 04-R-0198 52. 04-R-0199 53. 04-R-0200 54. 04-R-0201 55. 04-R-0202 56. 04-R-0203 57. 04-R-0204 58. 04-R-0205 59. 04-R-0206 60. 04-R-0225